

COMPLAINT

(for filers who are prisoners without lawyers)

UNITED STATES DISTRICT COURT EASTERN DISTRICT OF WISCONSIN

(Full name of plaintiff)

Jamaine Brown

v.

Case Number:

(Full name of defendant(s))

Officer Silva, Captain Remarkiwicz
Waupun Correctional Institution

(to be supplied by Clerk of Court)

A. PARTIES

1. Plaintiff is a citizen of Wisconsin and is located at
(State)

Waupun Correctional Institution / 200 S. Madison Street
(Address of prison or jail)

2. Defendant Silva, Remarkiwicz
(Name)

is (if a person or private corporation) a citizen of Wisconsin
(State, if known)

and (if a person) resides at _____
(Address, if known)

and (if the defendant harmed you while doing the defendant's job)

worked for Waupun Correctional Institution
(Employer's name and address, if known)

(If you need to list more defendants, use another piece of paper.)

B. STATEMENT OF CLAIM

On the space provided on the following pages, tell:

1. Who violated your rights;
2. What each defendant did;
3. When they did it;
4. Where it happened; and
5. Why they did it, if you know.

- 1 The Plaintiff alleges that he ~~was~~ has a walking impairment that won't let him walk without assistance or severe pain, and on 10-24-22 Defendant Silva escorted plaintiff in this condition to which Silva assisted in part, Plaintiff's troubled walking all the way until they reached the stairs.
- 2 While at Waupun Correctional Institution the plaintiff was housed in the (RHU) restrictive Housing Unit to where Defendant Correctional Officer Silva, Had intentionally Dropped plaintiff Down a flight of stairs which led plaintiff to receiving a hospital trip for Medical Treatment on 10-24-22. This was all recorded on c/o Silva's Body Camera!
- 3 While Defendant Officer Silva and plaintiff were at the stairs the plaintiff verbally indicated to Defendant Silva that he needed assistance to help get up the stairs safely.⁴ Defendant Silva made statements to

Plaintiff along the lines; 'Don't fall because I'm not going to catch you, I'm going to let you go and fall down the stairs'¹! He kept his promise and let plaintiff's escort hold go and plaintiff fell down the flight of stairs on 10-24-22, and plaintiff experienced severe pain to the body and mind due to Defendant Silva's Harmful Punishment. (Entire incident recorded on Silva's Body Camera)⁵ The Plaintiff made a series of evidence preservation request of this incident several times, each a timely request to save recordings for litigation purposes!

⁶ Defendant Silva inflicted cruel and unusual punishment on plaintiff causing Unwanton Infliction of Severe Pain, By foreseeing that if he released plaintiff down a flight of stairs, was clearly aware he would get hurt by a Dangerous Fall, This unusual act of punishment caused plaintiff great pain to the Body and mind by the assault and actions of Defendant Silva on the date of 10-24-22⁷ Defendant Silva's actions of physically abusing the plaintiff by intentionally dropping him down a flight of stairs violates the plaintiff's 8th Amendment rights as plaintiff has a right to be free from Cruel and Unusual Punishment, which causes pain to the Body and mind!⁸ Defendant Silva also acted with Deliberate Indifference to a serious risk of Harm,

Continuation of Claim Facts!

— As Defendant Silva was aware that plaintiff exhibited a walking problem all the way until they reached the stair location, was aware that by the obvious walking problem that it would be very reasonable to also assist plaintiff up the flight of stairs, but disregarded this and verbally indicated he would befall the plaintiff serious harm by letting plaintiff fall down the stairs, does violate the plaintiff's 8th Amendment right because Silva knew of the Risk of Serious Harm, but disregarded the Risk of serious harm to let the terrible fall of plaintiff Harm Plaintiff! 9 Captain Remarkiwicz knew of my walking problems and allowed Officer Silva to violate my civil rights! And WCI to allow Defendants the chance to violate civil rights!

Plaintiff

Jamaine Brown

Defendant

Officer Silva

12-15-22

Continuation of Claim Facts!

C. JURISDICTION



I am suing for a violation of federal law under 28 U.S.C. § 1331.

OR



I am suing under state law. The state citizenship of the plaintiff(s) is (are) different from the state citizenship of every defendant, and the amount of money at stake in this case (not counting interest and costs) is \$_____.

D. RELIEF WANTED

Describe what you want the Court to do if you win your lawsuit. Examples may include an award of money or an order telling defendants to do something or to stop doing something.

- ¹ Plaintiff seeks \$200,000⁰⁰ in punitive damages against Defendant Silva!
- ² Plaintiff seeks \$200,000⁰⁰ in Compensatory Damages against Defendant Silva!
- ³ The Plaintiff also seeks this Court to also Make sure that a Litigation Hold be placed on officer Silva's Body Camera recording of this incident from 10-24-22 stated herein this lawsuit!

E. JURY DEMAND

I want a jury to hear my case.



- YES



- NO

I declare under penalty of perjury that the foregoing is true and correct.

Complaint signed this 15th day of December 2022.

Respectfully Submitted,

Jonai Br

Signature of Plaintiff

477691

Plaintiff's Prisoner ID Number

Waupun Correctional Institution

P.O. Box 351 Waupun, Wis. 53963

(Mailing Address of Plaintiff)

REQUEST TO PROCEED IN DISTRICT COURT WITHOUT PREPAYING THE FULL FILING FEE



I DO request that I be allowed to file this complaint without paying the filing fee. I have completed a Request to Proceed in District Court without Prepaying the Full Filing Fee form and have attached it to the complaint.



I DO NOT request that I be allowed to file this complaint without prepaying the filing fee under 28 U.S.C. § 1915, and I have included the full filing fee with this complaint.